

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE



Jonathan Leite,
Plaintiff

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v.

Civil No. 15-cv-00280-PB

Matthew Goulet *et al.*,
Defendants

AFFIDAVIT OF DWANE SWEATT

I, Dwane Sweatt, upon oath do hereby depose and state as follows:

1. I have worked for the New Hampshire Department of Corrections at the Northern New Hampshire Correctional Facility ("NCF") since 2001. I make this affidavit based on my personal knowledge.

2. I served as the assistant shift commander for the second shift on August 24, 2012. In that role, I was involved in a count of the inmates on F-block at approximately 5:00 pm. *See* Ex. B-7 to Affidavit of Jeffrey Smith. I was not required to complete rounds of upper housing on August 24, 2012, and I did not complete or assist in completing any rounds on those housing units.

3. As assistant shift commander, I did not work the NCF visiting room on August 24, 2012 and, therefore, I did not participate in post-visit searches of inmates on that date, nor did I escort any inmate to a visit, as that is not practice, policy or procedure.

4. For purposes of an inmate's movement to a visit, an inmate will leave his housing unit after the control room gets permission from the movement officer to open the doors, once the inmate is paged to the visit. An inmate will then walk down the corridor to the visiting room

where Central Control will unlock the door to allow the inmate into the visiting area. The inmate then proceeds to the visiting room officer and hands his identification card to the officer and then sits down with his visitor who is already present in the area. An inmate has no private time with an officer prior to a visit.

5. My job responsibilities on August 24, 2012 also did not involve monitoring video of F-block, and to my knowledge I did not view any video of F-block on August 24, 2012.

6. At no point on or prior to August 24, 2012 was I informed by an inmate Leite or any other individual that Mr. Leite was at risk of an assault or any other harm. If such information was provided to me, appropriate protective steps would have been utilized.

7. When Officer Bergeron and I discovered Mr. Leite having difficulty standing, I immediately called for first responders and obtained immediate medical attention for him.

8. I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Date: October 10, 2017

s/Dwane Sweatt

Dwane Sweatt